UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

SHONTO PETE

Plaintiff,

v.

OFFICER JAY OLSEN and the CITY OF SPOKANE,

Defendants.

NO. CV-07-372-EFS

ORDER ENTERING COURT'S ORAL RULINGS FROM AUGUST 22, 2008 TELEPHONIC HEARING

A telephonic hearing occurred in the above-captioned matter on August 22, 2008. Blake W. Horwitz and John J. Kannin appeared on behalf of Plaintiff Shonto Pete; Ellen M. O'Hara appeared on behalf of Defendant City of Spokane. Before the Court was Plaintiff's oral motion to voluntarily dismiss the action without prejudice. This Order serves to memorialize the Court's oral ruling.

Accordingly, IT IS HEREBY ORDERED:

1. For the reasons articulated on the record, Plaintiff's oral motion to voluntarily dismiss the action under Federal Rule of Civil Procedure 41 is **GRANTED**.

 $^{^{1}\}mathrm{No}$ attorney has appeared on behalf of Defendant Officer Jay Olsen. ORDER * 1

1	2. The Complaint (Ct. Rec. 1) is DISMISSED without prejudice.
2	3. All pending motions are DENIED AS MOOT .
3	4. All pending hearing and trial dates are STRICKEN.
4	IT IS SO ORDERED. The District Court Executive is directed to enter
5	this Order and provide copies to all counsel.
6	DATED this <u>25th</u> day of August 2008.
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8	S/ Edward F. Shea
9	EDWARD F. SHEA United States District Judge
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ORDER * 2